United Nations ECE/EX/2015/L.13

Economic and Social Council

Distr.: Limited
30 March 2015

English only

Economic Commission for Europe

Executive Committee

Seventy-sixth meeting
Geneva, 31 March 2015
Item 4(c) of the provisional agenda
Matters relating to the
Inland Transport Committee

Decision approving the establishment of the Group of Experts on the Legal Aspects of the Computerization of the TIR Procedure

Background

1. At its seventy-seventh session (Geneva, 24–26 February 2015), the Inland Transport Committee recommended the establishment of a Group of Experts on the Legal Aspects of the Computerization of the TIR Procedure.

2. The Executive Committee is invited to approve the establishment of the Group of Experts on the Legal Aspects of the Computerization of the TIR Procedure and its terms of reference for a period of two years.

Draft Decision

3. The Executive Committee, at its seventy-sixth meeting on 31 March 2015, approves the establishment of the Group of Experts on the Legal Aspects of the Computerization of the TIR Procedure according to the terms of reference contained in the Annex.

GE.15-06732 (E)
1506732

Please recycle

Annex

Mandate and Terms of Reference of the Group of Experts on the Legal Aspects of the Computerization of the TIR Procedure

I. Background

1. The Informal Ad hoc Expert Group on Conceptual and Technical Aspects of Computerization of the TIR procedure delivered its preliminary results, i.e. the eTIR Reference Model, including the key concepts contained in Chapter 2 thereof adopted by the Working Party on Customs Questions Affecting Transport (WP.30) (see ECE/TRANS/WP.30/234, para. 22) and endorsed by the Administrative Committee of the TIR Convention, 1975 (AC.2) (see ECE/TRANS/WP.30/AC.2/91, para. 19). Those concepts can now be taken into account in the preparation of the legal framework for the computerization of the TIR procedure (eTIR).

2. WP.30, after discussing possible ways forward, agreed that the establishment of a formal group of legal experts that would methodically and expediently design the substantive legal framework of eTIR would be warranted. This proposal led to the decision of the Inland Transport Committee (ITC) to recommend the establishment of a Group of Experts on the Legal Aspects of the Computerization of the TIR Procedure.

II. Objectives

3. The Group of Experts on the Legal Aspects of the Computerization of the TIR Procedure is established, in line with the policies of the United Nations and the United Nations Economic Commission for Europe (ECE) and subject to the general supervision of the WP.30 and the Inland Transport Committee, to provide a specialized and dedicated international platform with the objective of developing the eTIR legal framework.

4. The Group of Experts will, in the process of developing the legal framework for the computerization of the TIR procedure (eTIR), prepare a draft Protocol to the TIR Convention.

III. Areas of work

5. The Group of Experts shall prepare the draft Protocol by carrying out the following activities:

(a) Undertake a study of the TIR Convention with a view to concretely identifying and analysing the provisions which may be affected by the introduction of eTIR;

(b) Carefully examine the issues pertaining to the administration of the eTIR international system, including, but not limited to, international data protection requirements and confidentiality requirements, as well as legal aspects of financing and draft the relevant legal provisions accordingly;

(c) Provide legal provisions on the role and functions of the TIR intergovernmental bodies under the eTIR legal framework;

(d) Identify and analyze the most efficient and legally acceptable method for incorporating the functional and technical specifications as contained in the eTIR Reference Model into the legal framework, as well as design an expedient amendment procedure.

6. The Group of Experts shall base its considerations on:

(a) The principles of eTIR as agreed upon by WP.30 and AC.2;

(b) The functional and technical specifications of eTIR as contained in the eTIR Reference Model;

(c) The guidance of WP.30.

IV. Membership

7. The Group of Experts on the Legal Aspects of the Computerization of the TIR Procedure shall, in accordance with the guidelines on the establishment and functioning of teams of specialists within ECE, outlined in document ECE/EX/2/Rev.1, be composed of experts in the relevant fields, appointed by member Governments, as well as competent representatives of relevant international governmental and non-governmental organizations and academia.

V. Modalities of operation

8. The Group of Experts on the Legal Aspects of Computerization of the TIR Procedure will report to the Working Party on Customs Questions Affecting Transport (WP.30). It will carry out its work on the basis of an annual work plan.

9. In the process of its deliberations and work, the Group of Experts may:

- request and collect from competent national authorities all the relevant information to assist the Group of Experts in describing and assessing the situation;
- conduct surveys of prevailing national legislation and/or legal arrangements that may be of relevance to its work;
- develop and maintain a network of contacts, including key stakeholders such as governments, customs authorities, academia and the transport industry, with a view to exchanging information that may be of use for its work.

10. The Group of Experts will meet at least once or a maximum of twice a year, at dates that will enable the reporting of progress and results to the Working Party on Customs Questions Affecting Transport.

11. The secretariat will:

(a) Provide secretariat support to the Group of Experts;

(b) Organize and participate in its meetings; and

(c) Assist in preparing the annual work plan.

12. The Group of Experts will be established without the need for additional resources. Support work will be provided within the existing capacity of the ECE secretariat as well as, potentially, with additional financial and in-kind voluntary contributions from the participating countries and other international organizations, bodies and stakeholders. UNOG resources will be used for translation and conference services.

13. The Group of Experts may, in the course of its work, identify additional elements or areas in the design of the eTIR legal framework that merit attention, and in such case, these additional elements shall be brought to the attention of WP.30.

14. The Group of Experts is expected to start its work in May 2015, following the approval by the Inland Transport Committee and the ECE Executive Committee. It is expected that the Group of Experts would complete its work by the end of May 2017.